

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of Embarq Missouri, Inc.'s Application for)
Competitive Classification under Section 392.245.5) **Case No. TO-2007-0301**
RSMo (2005))

ORDER GRANTING INTERVENOR'S MOTION TO BE EXCUSED FROM **HEARING**

Issue Date: March 1, 2007

Effective Date: March 1, 2007

On February 8, 2007,¹ Embarq Missouri, Inc. ("Embarq") filed its verified Application for Competitive Classification pursuant to Sections 392.245.5 and 392.245.5(6), RSMo Cum. Supp. 2005, in which it requested that the Commission classify the business services Embarq offers in its Lebanon exchange, other than exchange access services, as competitive.

On February 20, Fidelity Communication Services I, Inc. ("Fidelity") filed an Application to Intervene pursuant to Commission Rule 4 CSR 240-2.075, and requested an evidentiary hearing. There were no other requests for intervention, or for a hearing. On February 23, Fidelity filed its formal written objections to Embarq's application, in which it renewed its request for a hearing.

The Commission granted Fidelity's request to intervene on February 26. Later that day, Fidelity filed a pleading withdrawing its objections to Embarq's application and requesting to be excused from the upcoming hearing, scheduled for March 5.

¹ Unless otherwise specified, all dates refer to the year 2007.

Under these circumstances, the Commission finds Fidelity's request to be reasonable and shall grant Fidelity's motion.

IT IS ORDERED THAT:

1. Fidelity Communication Services I, Inc.'s February 26, 2007 Motion to Be Excused from Hearing is granted.
2. This order shall become effective on March 1, 2007.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Benjamin H. Lane, Regulatory
Law Judge, by delegation of authority
under Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 1st day of March, 2007.